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SUBJECT: MALAWI: ELECTORAL COMMISSION CHAIR UPDATES
AMBASSADOR ON ELECTORAL PROGRESS

REF: LILONGWE 543

LILONGWE 00000667 001.2 OF 002

¶1. (SBU) Summary: In a recent meeting with the Ambassador, Malawi Electoral Commission (MEC) Chairperson Justice Anastasia Msosa described the ongoing difficulties with voter registration and expected challenges in next May's elections. In particular, Msosa expects challenges to the voters' roll, polling procedures, and results due to lack of trust among Malawi's main political parties. On the possibility of a civil society-led parallel vote tally, Msosa remained supportive, but welcomed international assistance to train the monitors and observers who would participate. Despite difficulties, the voter registration process has slipped only a few weeks and remains on track to register over 5 million people by the end of the year. Comment: While Msosa is viewed as impartial by most, circumstances such as the battle over the Muluzi nomination will open the MEC up to calls of bias and potential rigging. A strategic investment in building domestic observer capacity, including a capable civil-society led parallel tally, would significantly improve prospects for free, fair, and credible elections in Malawi next May. End Summary.

¶2. (SBU) In an introductory call at the MEC headquarters in Blantyre, the Ambassador congratulated MEC chair Justice Anastasia Msosa on her recent contract renewal for five more years as the MEC chair, commenting that it spoke of her impartial leadership in the process. Msosa, however, downplayed the renewal saying it would be too difficult to name a new chair at this late stage. Msosa expressed her admiration of the most recent U.S. elections, saying she particularly admired the gracious concession speeches of losing candidate Sen. McCain and the quick announcement of results.

Registration Proceeding Despite Glitches

¶3. (SBU) Msosa described the ongoing difficulties with Malawi's new "high-tech" voter registration process. While equipment problems (due largely to operator error) dogged early voter registration phases, a donation of approximately 800 new cameras and additional technical support from equipment suppliers has given the MEC the capacity to deal with breakdowns quickly. Msosa said the MEC was also dealing with human resource problems, such as workers abandoning their jobs in mid-phase. Msosa said she expected MEC would have to resolve numerous challenges to the voters' roll once it was released for inspection in March.

¶3. (SBU) Despite these challenges, over 3.5 million Malawians have successfully registered as of November 5. Msosa said the MEC still expects over 5 million Malawians to register.

She noted that the MEC will add a seventh phase to cover centers that never opened due to equipment problems, or were not open the requisite 14 days. Msosa agreed with the Ambassador's comments that the registration card was now serving as a no-cost, de-facto national photo identification card, and that this side benefit was driving large numbers to register.

¶4. (SBU) As difficult as managing voter registration has been, Msosa believed polling and results management would prove to be the most difficult tasks she faced. The MEC has not yet announced a results management plan. The Ambassador suggested counting and posting all results at each polling station before transmission to a central location to help ensure transparency. Ambassador also inquired about the MEC's view of a civil-society led parallel tally (ref A) to reduce allegations of foul play. Msosa remained open to the idea, especially if a respected international organization could be identified and funded to train domestic observers in time. Msosa continued to cite the lack of training for political party observers during registration as a weakness in the process. Msosa suggested that while the major parties won't cooperate at high levels, they will work together at lower levels on issues such as observer training. Msosa also welcomed international observers, including those from diplomatic missions, to help the MEC improve the election process.

Between a Rock and a Hard Place on Muluzi

¶5. (SBU) The Ambassador asked about the status of determining former president Muluzi's ability to contest the presidential election, but Msosa said the MEC had yet to consider the matter. Msosa said that no matter what decision the MEC

LILONGWE 00000667 002.2 OF 002

made, it would be challenged in court. She added that the Constitutional issue of Muluzi's candidacy remains the biggest threat to delay next May's polls. Msosa envisioned a scenario where injunctions might prevent printing of the ballots until a Constitutional Court rules on the matter. While Msosa hinted that the MEC might be able to make a preliminary decision if asked by an organization like the Malawi Law Society, she felt it would be best for President Mutharika to ask the courts for an opinion now so the MEC could remain apolitical.

A Little Help Can Go A Long Way

¶6. (SBU) Comment: Addition donor support could still make a big difference in next May's elections. International observers, especially from a respected U.S.-based organization, remain a critical component and will be welcomed by the government of Malawi. In order to have the greatest impact, at least some would arrive by March, in time to observe the campaigning, polling, and results of the elections. While Msosa continues to be viewed as impartial by most political leaders, the MEC's weak organizational capacity will still leave it open to criticism and claims of rigging. An investment in training domestic observers, particularly with the goal of organizing a parallel tally, would yield the greatest benefit, helping the MEC to confirm the credibility of the elections in the face of expected calls of protest.

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